

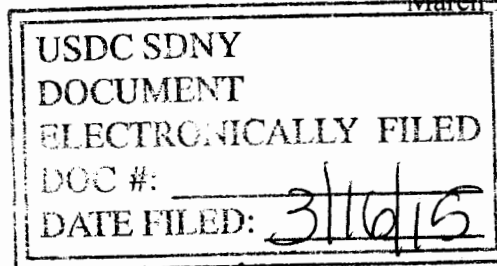
ZACHARY W. CARTER
Corporation Counsel

THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NEW YORK 10007

RICHARD WEINGARTEN
Assistant Corporation Counsel
phone: (212) 788-0682
fax: (212) 788-9776
email: rweingar@law.nyc.gov

BY ECF

Honorable Robert W. Sweet
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007



March 9, 2015

Re: *Kendall Jackson v. Ray Henry, et al.*, 14 Civ. 9724 (RWS)(SN)

Dear Judge Sweet:

I am an Assistant Corporation Counsel in the Office of Zachary W. Carter, Corporation Counsel of the City of New York, and the attorney assigned to the defense of the above-referenced matter. I write on behalf of interested party, the Office of the Corporation Counsel, to respectfully request an adjournment of the initial conference in this matter which is currently scheduled for April 8, 2015 at 4:00 p.m. until after such time as the discovery schedule set by the Southern District's Plan for Certain §1983 Cases against the City of New York (the "§1983 Plan") has run its course. This is the Office of the Corporation Counsel's first request for an adjournment of the initial conference in this matter. Plaintiff's counsel, Darius Wadia, Esq., has consented to this request.

By way of background, plaintiff's complaint alleges, *inter alia*, that he was falsely arrested by defendants P.O. Henry, P.O. Pichardo, and Sgt. Contreras, and charged with various drug-related crimes on or about February 3, 2012. As the Court may be aware, this matter has been designated as part of the §1983 Plan. Under the §1983 Plan, the individual defendants' response to the complaint is set to be filed on or about March 23, 2015. Following that, the parties will exchange discovery pursuant to the §1983 Plan. Under the terms of the § 1983 Plan, the parties will exchange a proscribed set of documents by April 13, 2015. The parties will then have an opportunity to attempt to negotiate a settlement amongst themselves, and if those efforts fail, a mediation session will be scheduled before the end of June 2015. Accordingly, the Office of the Corporation Counsel respectfully submits that an initial conference at this stage is not

*So ordered &
Darius Wadia
3-12-15*

necessary, as a limited discovery schedule has already been set forth in the § 1983 plan, and all other discovery is stayed pending a settlement conference or mediation session.

Accordingly, the Office of the Corporation Counsel respectfully requests an adjournment of the initial conference in this matter which is currently scheduled for April 8, 2015 at 4:00 p.m. until after such time as the discovery schedule set by the §1983 Plan has run its course.

I thank the Court for its time and consideration of the within request.

Respectfully submitted,

/s/

Richard Weingarten
Assistant Corporation Counsel
Special Federal Litigation Division

cc: **BY ECF**
Darius Wadia, Esq.
Attorney for *Plaintiff*
186 Joralemon Street, Suite 1202
Brooklyn, New York 11201